

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
NO: 3:04CR157**

UNITED STATES OF AMERICA,)	
Plaintiff)	
)	
vs.)	<u>ORDER</u>
)	_____
ANDRE MCRAE,)	
Defendant.)	
)	
)	

THIS MATTER IS BEFORE THE COURT upon the receipt of an letter from Andre McRae, dated November 8, 2005, to the Honorable Graham C. Mullen (the “Letter”).

The record reflects that Mr. McRae is represented by appointed counsel, Julia Mimms. It is the practice of this Court, when a defendant is represented by counsel, to rule on motions filed only by counsel of record. Therefore, if Mr. McRae has any matters he wishes this Court to consider, they must be submitted through his attorney. The Court notes Mr. McRae’s allegations that Ms. Mimms has not been responsive to certain matters he has brought to her attention. As such, the Court will schedule an inquiry into the status of counsel.

IT IS, THEREFORE, ORDERED that Mr. McRae’s request is **DENIED** without prejudice to Mr. McRae’s right to re-file the request, if appropriate, through his attorney.

Signed: November 14, 2005

David C. Keesler
David C. Keesler
United States Magistrate Judge

